

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Becq et al.	Confirmation No.:	4276
Serial No.:	10/516,839	Art Unit:	1625
Filed:	March 4, 2005	Examiner:	Charanjit Aulakh
Customer No.:	21559		
Title:	Use of Benzo[C]Quinolizinium Derivatives for the Treatment of Diseases that are Linked to Smooth Muscle Cell Constriction		

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION CONCERNING PATENT TERM ADJUSTMENT CALCULATION

In reply to the Determination of Patent Term Adjustment under 35 U.S.C. 154(b) dated December 3, 2009 in connection with the above-captioned patent application, Applicants submit pursuant to M.P.E.P. 2733 that the patent term adjustment indicated in the Determination appears to be longer than appropriate.

Applicants also submit for the record that, when calculated, the B delay should be calculated from the application submission date, December 3, 2004. A request for continued examination was filed on April 1, 2009. The B delay for this application thus is the difference between December 3, 2007 (three years from December 3, 2004) and April 1, 2009, which is 485 days. Applicants respectfully request that this period of B delay be added to the A delay upon final calculation of the patent term adjustment for this application.

Although no charges are believed to be due, if there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: March 3, 2010

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